

REMARKS

The above-referenced patent application has been reviewed in light of the Office Action referenced above. Claims 1-18 are currently pending. Claims 1, 8, and 13-15 have been amended. It should be noted that the amendments to claims 13 and 15 are made to broaden those claims and therefore prosecution history estoppel should not result from these amendments. In addition, the amendments to claims 1, 8, and 14 in some circumstances broaden the scope of those claims and as such no prosecution history estoppel should result from these amendments. Support for these amendments is found throughout the application, such as page 7, lines 9-12. No new matter has been presented. Reconsideration of the above-referenced patent application in view of the foregoing amendments and following remarks is respectfully requested.

With regard to the substance of the Examiner's rejections we begin with claim 1, as amended. Assignee respectfully asserts that the Examiner's rejection under 35 USC § 102 of this claim is traversed. The document cited by the Examiner does not teach or suggest "subjecting said information of said calibration chart to a correction means to normalize a signal value corresponding to aberrant information whereby corrects aberrance of said information" as recited by Assignee's claim 1. Of course, what a cited document teaches does not necessarily limit what may be covered by its claims, if that document is an issued patent, for example.

The Examiner has rejected the remaining claims under 35 USC § 103 based on various combination of Yang and other cited documents. These rejections are respectfully traversed.

As indicated above, claim 1, as amended, recites "subjecting said information of said calibration chart to a correction means to normalize a signal value corresponding to aberrant information whereby corrects aberrance of said information." Yang does not disclose this element and the remaining cited documents do not appear to cure this deficiency. Therefore, it is respectfully asserted that the Examiner has failed to establish a prima facie case under 35 USC § 103.

The remaining claims all patentably distinguish from the cited documents on at least the same and/or a similar basis as claim 1. It is therefore asserted that the Examiner's rejections of the remaining claims have likewise been traversed.

Assignee takes no specific position in this response regarding the appropriateness of the combinations asserted by the Examiner or regarding his statements in the above reference Office Action explaining what he believes the cited documents may illustrate. Therefore, Assignee respectfully reserves the right to disagree with any of those positions or statements. Nonetheless, they are all rendered moot by the amendment of claims 1, 8, and 14.

CONCLUSION

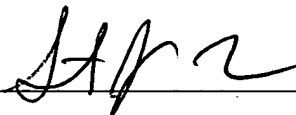
In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application, as amended, are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500. Consideration of this patent application and early allowance of all the claims is respectfully requested.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3703.

Respectfully submitted,

Dated: _____

1/30/06



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